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PATENT

CONF. NO. 2587

NOTICE OF ALLOWANCE DATE: 11/13/03



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Appln of:

VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Examiner: T.R. Hannon

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

REQUEST FOR STATUS OF PETITION FOR
RETROACTIVE LICENSE UNDER 35 USC §184

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

According to counsel's records, a Petition for Retroactive License Under 35 USC §184, together with the requisite Petition fee of \$130, was filed on September 12, 2002 (copy attached). No action on the Petition has been received, as yet. Please advise when we may expect a decision on the Petition.

Respectfully submitted,

By:

HARVEY B. JACOBSON, JR.
Registration No. 20,851

JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
Tel. (202) 638-6666
I.D. P67273US0
Date: January 8, 2004



Crystal Park 5
3rd Fl.- Rm. 3D11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re the Appln of:

Edward A. VAREL et al.

Group Art Unit: 3682

Serial No.: 10/076,648

Filed: February 19, 2002

For: REMOVABLE MORTAR MIXER BEARING AND SEAL ASSEMBLY

PETITION FOR RETROACTIVE LICENSE
UNDER 35 USC §184

Assistant Commissioner of Patents
Washington, D.C. 20231
BOX DAC

Dear Sir:

It is requested that a retroactive foreign filing license be granted in connection with the above-identified U.S. patent application, for the following country:

Canada, filed February 25, 2002

In support of this request, undersigned counsel avers that the subject matter of the above U.S. patent application was not under a secrecy order at the time it was filed in Canada, and that it is not currently under a secrecy order.

Immediately upon it being brought to undersigned counsel's attention, on September 5, 2002, that the corresponding Canadian application should not have been filed until after receipt of a filing receipt from the U.S. Patent and Trademark Office indicating the grant of a foreign filing license for the above-identified U.S. application, undersigned counsel prepared the instant Petition.

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At the time of filing the Canadian patent application on January 26, 2001, undersigned counsel did not appreciate the need for a foreign filing license directed thereto inasmuch as the technology covered by such invention, i.e., removable mortar mixer bearing and seal assembly, had no application in connection with any subject matter which would be considered to involve national security.

Undersigned counsel further avers that the error in proceeding with filing the corresponding Canadian application without awaiting receipt of the required license under §5.11 occurred without deceptive intent on the part of the Applicants or undersigned counsel.

The processing fee of \$130.00, as required under 37 CFR §1.17(h), is attached.

Favorable action commensurate with the foregoing is requested.

Respectfully submitted,

JACOBSON HOLMAN, PLLC

By:

HARVEY B. JACOBSON, JR.
Reg. No. 20,851

400 Seventh Street, N.W.
Washington, D.C. 20004-2201
(202) 638-6666
Atty. Dkt. No.: P67273US0
HBJ/lhs
Dated: September 12, 2002

COPY



JH Ref P67273US0 Today's Date 9-12-02
Serial/Patent No. 10/076,648
Applicant, Patentee, Assignee VAREL et al.
Filing Date/Patent Date February 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

pp. Specification & Claims Response to Office Action
 Combined Declaration, Power of Attorney Disclosure Statement-IDS
 Preliminary Amendment Copies of References
 Rule 53 (b) Application Request for Refund
 Rule 53 (d)/RCE Application Request for Corrected Filing Receipt
 Claim to Priority and Certified Copy Petition for XOT
 Substitute Subsequent Declaration Notice of Appeal/Brief
 Maintenance Fee Sequence Listing
 Drawings Sheets Form: 4 Fee Transmittal
 Assignment/Change of Name Other Petition for RETROACTIVE LICENSE
 Small Entity Declaration Under 35 USC 184
 Check for \$ 130.00 REC'D BY JACOBSON HOLMAN PLLC
 REC'D BY 03/11/2004 400 SEVENTH STREET, N.W.
 Person filing IHS WASHINGTON, D.C. 20004

JH 11/01 DUE DATE --
Person filing IHS

JACOBSON
HOLMAN

PROFESSIONAL LIMITED LIABILITY COMPANY
400 SEVENTH STREET, N.W. • WASHINGTON, D.C. 20004-2201

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the order of*

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DATE	IN PAYMENT FOR	AMOUNT
09-12-02	FILING FEE	130.00
	ISSUE FEE	
	AMENDMENT	
	STONE CONSTRUCTION EQUIPMENT,	
	APPLICANT	
	SER. NO.	10/076,648
	MARK	1 h/s
	OUR FILE NO.	P-67273-H-S-0
	CHARGE TO	WALTER

P.O. 59962

CLIENTS FILE

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15-52
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September 12, XX2002

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JH Ref P67273US0

Today's Date 1-8-04

Serial/Patent No. 10/076,648

Applicant, Patentee, Assignee VAREL et al

Filing Date/Patent Date February 19, 2002

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

<input type="checkbox"/> _____ pp. Specification & _____	Claims	<input type="checkbox"/> Response to Office Action
<input type="checkbox"/> Combined Declaration, Power of Attorney		<input type="checkbox"/> Disclosure Statement-IDS
<input type="checkbox"/> Preliminary Amendment		<input type="checkbox"/> Copies of References
<input type="checkbox"/> Rule 53 (b) Application		<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Rule 53 (d)/RCE Application		<input type="checkbox"/> Request for Corrected Filing Receipt
<input type="checkbox"/> Claim to Priority and Certified Copy		<input type="checkbox"/> Petition for XOT
<input type="checkbox"/> Substitute	<input type="checkbox"/> Subsequent Declaration	<input type="checkbox"/> Notice of Appeal/Brief
<input type="checkbox"/> Maintenance Fee		<input type="checkbox"/> Sequence Listing
<input type="checkbox"/> Drawings	Sheets _____ Formal _____ Informal	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Assignment/Change of Name		<input checked="" type="checkbox"/> Other Req. for Status of Petition for Retroactive License
<input type="checkbox"/> Small Entity Declaration		
<input type="checkbox"/> Change for _____		JACOBSON HOLMAN PLLC

JH 11/01 DUE DATE --
Person filing LHS